

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed March 31, 2004.

Currently, claims 1-49 are pending. Claims 27-38 are allowed. Applicants have amended claims 1, 3, 18-20, 26, 39, 41 and 45. Applicants respectfully request reconsideration of claims 1-26 and 39-49.

I. Rejection of Claims under 35 U.S.C. § 103(a)

Claims 1, 2, 4-13, 16, 18-21, 23-25, 39, 41, 43-45, 48, and 49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,266,100 B1 (“*Gloudemans*”) in view of U.S. Patent No. 6,542,162 (“*Hrusecky*”). Because *Gloudemans* and *Hrusecky*, alone or in combination, fail to teach or suggest each of the limitations of claims 1, 2, 41-13, 16, 18-21, 23-25, 39, 41, 43-45, 48, and 49 pending after entry of the present amendments, Applicants assert that these claims are patentable over the cited art. Although the rejection under § 103(a) may be overcome by showing that *Gloudemans* is not prior art under § 102(e), Applicants are not providing such a showing because some of the subject matter in the *Gloudemans* reference may have been publicly available more than one year prior to filing the present application.

Embodiments of Applicants’ invention provide for a system to blend images, “such as blending one video source with another video source, blending a still image with a video source, blending a still image with a still image, etc.” *Applicants’ Specification*, p. 4. A color map is provided which “indicates which colors in an image can be mixed with another image, and how much of each source to include.” *Id.* The color map can store “identifications of colors and blending information for the colors.” *Id.* at 4-5. The blending information in the color map can be an alpha which is “a blending value to be used to mix the program signal with the effect signal.” *Id.* at p. 9. A compositor can store this color map for example. *Id.* at p. 9. The compositor can “look at the color of a particular pixel in [a] program video signal” and then use the color “to access the color map to determine the alpha for the particular color.” *Id.* Thus, the color is determined from the video signal and then used by the compositor to find a pixel blending value in the color map that corresponds to the color.

Claims 1, 2, 4-13, 16, 18-19

Some of the techniques discussed above are embodied in amended claim 1 which recites:

determining a color of said specific pixel from said
first video image,
accessing a color map after determining said color
of said specific pixel, said color map capable of storing blending
value information for a plurality of different colors, and
using said determined color of said specific pixel
to determine a pixel blending value for said specific pixel from
said color map.

It is respectfully submitted that claim 1 is patentable over the cited art because the combination of *Gloudemans* and *Hrusecky* fails to teach or suggest these limitations. In claim 1, the color map is accessed “after determining said color of said specific pixel” “from said first video image” so that a pixel blending value can be determined from the color map based on the determined color. *Emphasis added*. This has significance because the color is first determined from the video and then the color map accessed to determine blending values corresponding to the determined color. This allows blending based on colors determined from video images. *Hrusecky*, which was cited for the disclosure of a color map and pixel blending values used for blending images, does not teach or suggest such a color table and order of use as recited in amended claim 1.

Hrusecky discloses a “color table [that] assigns color values (Y, Cr and Cb) to specific patterns coded for each pixel in the bitmap.” *Hrusecky*, col. 8, ll. 16-18 (*emphasis added*). Rather than use a predetermined color to access an appropriate blending value corresponding to the color, *Hrusecky* discloses a color table that assigns color values to specific patterns that are coded for each pixel. The color table of *Hrusecky* contains “color description entries and a bitmap region which comprises an index into the color table.” *Id.* at col. 11, 48-50. Thus, the table of *Hrusecky* is accessed and used to determine a color using a bitmap region as an index to the table. Accordingly, *Hrusecky* does not teach or suggest determining the color from a video image and “accessing a color map after determining said color of said specific pixel,” as recited in claim 1 (*emphasis added*).

Hrusecky does disclose the inclusion of “blend control bit or bits” in a color table which allows a “particular color to to be blended with MPEG-2 decoded video data whenever that table

entry is addressed.” *Id.* at col. 12, ll. 49-55. Again, however, the table is indexed with a bitmap region so that a color and corresponding blending control can be determined. *Hrusecky* provides no teaching or suggestion of accessing a color map “after determining said color of said specific pixel” from said first video image, as recited in claim 1 (*emphasis added*).

Because *Gloudemans* and *Hrusecky*, alone or in combination, fail to teach or suggest each of the limitations of claim 1, Applicants respectfully submit that claim 1 is patentable over the cited art. Claims 2, 4-13, 16, and 18-19 each ultimately depend from claim 1 and should be patentable for at least the reasons set forth above.

Claims 20-21 and 23-25

Amended claim 20 recites the limitations discussed above with respect to claim 1. Accordingly, for at least the same reasons as set forth above, Applicants assert that claim 20 is patentable over the cited art. Claims 21 and 23-25 each ultimately depend from claim 20 and should be patentable for at least the same reasons.

Claims 39, 41, 43-44, and 48-49

Amended claim 39 includes, among other limitations, a “pixel blending value calculation circuit” that “generates an output by: determining color in said first video image, accessing said color map after determining said color in said first video image, and using said determine color in said first video image to determine a pixel blending value from said color map for at least a portion of said first video image.” Amended claim 45 recites “a processor in communication with said memory, said processor receives said first video signal, determines colors in said first video signal, accesses said color map after determining said colors in said first video signal, and uses said determined colors in said first video signal to determine blending values from said color map.” As set forth with respect to claim 1, the combination of *Gloudemans* and *Hrusecky* fails to teach or suggest determining colors from “a first video image” and then accessing a “color map after determining said color.” For at least the same reasons as set forth with respect to claim 1, Applicants assert that the combination fails to teach or suggest each of the limitations of claim 39 and claim 48. Claims 41, 43-44, and 49 each ultimately depend from claim 39 or claim 48 and should be patentable for at least the same reasons.

II. Claims 3, 14, 15, 17, 22, 26, 40, 42, 46, and 47

Claims 3, 14, 15, 17, 22, 26, 40, 42, 46, and 47 were objected to as being dependent upon a rejected base claim.

Claim 3 has been rewritten in independent form to include all of the limitations of base claim 1 from which it directly depends. Accordingly, claim 3 is believed patentable over the cited art.

Claim 26 has been rewritten in independent form to include all of the limitations of base claim 20 from which it directly depends. Note that the original limitations of claim 26 are each found in the limitation reciting the step of "causing a blending." Accordingly, claim 26 is believed patentable over the cited art.

It is respectfully submitted that claims 14, 15, 17, 22, 40, 42, 46, and 47 are patentable because of their dependency from one of independent claims 1, 20, 39, or 48, which are submitted to be patentable for the reasons set forth above.

III. Conclusion

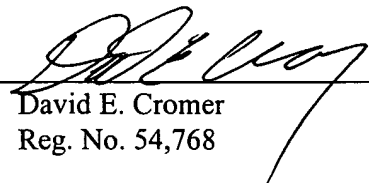
Based on the above amendments and these remarks, reconsideration of claims 1-49 is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including today, September 30, 2004.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: September 30, 2004 By: 
David E. Cromer
Reg. No. 54,768

VIERRA MAGEN MARCUS HARMON & DENIRO LLP
685 Market Street, Suite 540
San Francisco, California 94105-4206
Telephone: (415) 369-9660
Facsimile: (415) 369-9665